



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. David L. Campbell

Attorney Docket No. KANG113878

Application No: 09/369,960

Group Art Unit: ~~2771~~ 2172

Filed: August 6, 1999

Examiner: J. Corrielus

Title: ON-LINE DATABASE UPDATING NETWORK SYSTEM AND METHOD

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

TO THE COMMISSIONER FOR PATENTS:

Petitioner, Punch Networks Corporation, having a principal place of business at 1417 Fourth Avenue, 3rd Floor, Seattle, Washington 98101-2119, represents that it is owner of the entire right, title and interest in the above application by a chain of title from the inventor, of the patent application identified above, to the current assignee as shown below:

1. From: R. David L. Campbell To: Kangaroo, Inc.

The assignment document was recorded in the U.S. Patent and Trademark Office at Reel 7970, Frame 0860, a copy of which is attached.

2. From: Kangaroo, Inc. To: Punch Networks Corporation

The change of name document was recorded in the U.S. Patent and Trademark Office at Reel 9490, Frame 0344, a copy of which is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior U.S. Patent No. 5,937,405, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 5,937,405, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

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LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

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Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent No. 5,937,405 in the event that said prior U.S. Patent No. 5,937,405 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

Our Check No. 128773 in the sum of \$55.00 for the terminal disclaimer fee under 37 C.F.R. § 1.20 is included. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire procedure of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. A copy of this sheet is enclosed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PETITIONER

Date

5/25/01

Name: R. David L. Campbell

Title: Chairman and Senior Vice President
of Corporate Development

MLC:sbk

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100